



OFFICE OF  
INSURANCE COMMISSIONER

In the Matter of

FIRST ALLMERICA FINANCIAL  
LIFE INSURANCE COMPANY,

An Authorized Insurer

No. D06-314

CONSENT ORDER  
IMPOSING A FINE

Findings of Fact:

1. First Allmerica Financial Life Insurance Company ("First Allmerica") was, at all times pertinent hereto, authorized to conduct insurance business in Washington State. It issued life and disability insurance.
2. First Allmerica filed its calendar year 2004 Annual Statement with the Office of the Insurance Commissioner ("OIC") on April 21, 2005, but failed to file the signature page for the statement of Non-Guaranteed Elements ("SONGE").
3. First Allmerica electronically filed its calendar year 2004 Audited Financial Report on June 30, 2005, but failed to file the paper signature page.
4. First Allmerica timely electronically filed its calendar year 2005 Annual Statement, Statement of Actuarial Opinion, and Separate Accounts Statement, but did not file the accompanying paper signature pages until May 12, 2006.
5. First Allmerica timely electronically filed its calendar year 2005 Audited Financial Report, CPA Qualifications Letter and CPA Internal Controls Report, but failed to file the accompanying paper signature pages.

Conclusions of Law:

1. First Allmerica's failure to timely file its calendar year 2004 Annual Statement and paper signature pages as described above constitutes three violations of RCW 48.05.250.
2. RCW 48.05.185 authorizes the Commissioner to impose a fine in lieu of or in addition to the suspension or revocation of an insurer's certificate of authority.

Consent to Order:

First Allmerica consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of First Allmerica's payment of a fine as set forth below.

1. First Allmerica consents to the entry of the foregoing Findings of Fact and Conclusions of Law, and acknowledges its duty to comply fully with all applicable laws and regulations of the State of Washington. It waives further administrative or legal challenge to the actions taken by the Insurance Commissioner that are related to the subject matter of this Order.

2. Within thirty days of the entry of this Order, First Allmerica will pay to the Insurance Commissioner a fine in the amount of \$1,625 (one thousand six hundred twenty five dollars).

3. Failure to pay the fine in full within thirty days of the entry of this order will constitute grounds for revocation of the certificate of authority held by First Allmerica in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 28th day of November, 2006.

FIRST ALLMERICA FINANCIAL LIFE INSURANCE COMPANY

By: Warren E. Barnes

Printed Name: Warren E. Barnes

Printed Corporate Title: Vice President + Corporate Controller

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

Order:

1. First Allmerica Financial Life Insurance Company is ordered to pay, within thirty days of the entry of this order, a fine in the amount of \$1,625 (one thousand six hundred twenty five dollars).

2. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 1st day of December, 2006

MIKE KREIDLER  
Insurance Commissioner

By: Marcia G. Stickler  
Marcia G. Stickler  
Legal Affairs Division